

CITY COUNCIL CONFERENCE MINUTES

March 13, 2018

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:05 p.m. in the Municipal Building Conference Room on the 13th day of March, 2018, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Allison, Bierman, Clark, Holman, Karjala, Wilson, Mayor Pro Tem Castleberry

ABSENT: Councilmember Hickman and Mayor Miller

Item 1, being:

CHANGE ORDER NO. TWO TO CONTRACT K-1516-146 WITH SILVER STAR CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$832,200 FOR A REVISED CONTRACT AMOUNT OF \$4,853,309.40 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) ROADWAY IMPROVEMENT PROJECTS 1 AND 2.

Mr. Tim Miles, Capital Projects Engineer, said there are nine projects under the Federal Grant Program through the Department of Housing and Urban Development and some of the projects are under a separate budget with Cleveland County. He said tonight's discussion will specifically involve the (CDBG-DR) Project No. 2, which is located on 120th Avenue S.E. between Etowah Road and Highway Nine. He said the main item included on this Change Order is a culvert upgrade on 120th Avenue S.E. He said the good news is federal funds will pay 100% for this upgrade. He said the total cost for the Change Order is \$832,200, which includes 16 various bid items, primarily earthwork related items connected to the core replacement, concrete steel for the box, erosion protection, filter fabric, and guardrail. He said the revised contract amount increases from \$4,021,109.40 to \$4,853,309.40 for Projects 1 & 2 with an anticipated completion date of Fall 2018.

Councilmember Castleberry asked if this project is included in the Stormwater Master Plan as a potential project. Mr. Miles said this project is not included. Councilmember Wilson asked if all of CDBG-DR funds were involved because of an emergency event. Mr. Shawn O'Leary, Director of Public Works, said the funds come after an event and this is the first time the City has been eligible for CDBG-DR funds, because it is a new program in the country. He said FEMA funds were received for immediate recovery for both the wildfires in 2012 and the tornado in 2013. He said two years later this program became available to help prepare for future emergency events. He said this project will improve the roads and the drainage crossings to respond to the next disaster. He said this is a \$27,000,000 project.

Item 1, continued:

Items submitted for the record

1. Text File K-1516-146, Change Order No. Two dated February 26, 2018, by Tim Miles, Capital Projects Engineer
2. City and County Disaster Relief Project Locations Map
3. Change Order Summary No. Two to K-1516-146
4. CDBG-DR Project list with cost and location
5. PowerPoint Presentation Agenda Item No. 18: Change Order No. 2, CDBG-DR Project No. Two dated March 13, 2018

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Item 2, being:

DISCUSSION REGARDING A REQUEST FROM THE PUBLIC ART BOARD TO CONSIDER AMENDMENTS TO THE ART IN PUBLIC PLACES ORDINANCE.

Ms. Kathryn Walker, Assistant City Attorney, said a request was received from the Norman Arts Council in November 2017, requesting amendments to the Art in Public Places ordinance setting forth the membership of the Public Arts Board. She said the ordinance currently requires that two members of the Public Arts Board (PAB) be appointed by the Norman Gallery Association, which is no longer active. She said the proposed ordinance strikes the representatives appointed by the Norman Gallery Association and replaces them with one representative to be appointed by the Norman Arts Roundtable and one representative to be appointed by the Norman Arts Council Board. Additionally, the Norman Arts Council requested that the NORMAN FORWARD Project Manager or his/her designee be added to serve as an ex-officio member. She said the amendments were discussed by the City Council Oversight Committee on January 18, 2018, and concern was expressed about amending the ordinance to add what would ultimately be a temporary ex-officio member for NORMAN FORWARD, noting that a designated Arts Council employee assigned to work with the NORMAN FORWARD projects regularly attends the PAB meetings. Additionally, if the PAB needs a representative of the City to attend for NORMAN FORWARD specific items, a City staff person could attend as needed for that purpose. She said if Council so desires, this ordinance could move forward for First Reading on the next agenda. The consensus of Council was to move forward.

Items submitted for the record

1. Memorandum dated March 9, 2018, from Kathryn Walker, Assistant City Attorney, to Mayor and City Councilmembers
2. Annotated Ordinance O-1718-38
3. Letter dated November 15, 2017, from Ron Collett, President, Norman Arts Council, to Ms. Brenda Hall, City Clerk and City Council Oversight Committee Minutes, January 18, 2018
4. City Council Oversight Committee Minutes of January 18, 2018

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Item 3 being:

DISCUSSION REGARDING CITY COUNCIL MEETING TIMES AND PUBLIC PARTICIPATION PROCESSES.

Councilmember Castleberry reminded Council of one of the [sic] goals from Council's Annual Planning Retreat was to consider changing the time of the City Council meetings to allow for more participation. He said the Mayor conducts the meeting and the purpose of the Council meeting is to conduct the City's business. He said a City Council meeting is not a public forum and limiting the public comment time in a meeting is not a violation of the first amendment.

He asked Councilmember Allison, Chairman of the Council Oversight Committee, who previously discussed this topic if he would like to share the Committee's review. Councilmember Allison said Councilmembers and citizens have approached him with concerns about the current start time of City Council meetings. He said many who have young children/families would like to get more involved in the meetings, but are not able to wait through long meetings, because they end too late in the evening. He said the Oversight Committee discussed moving one meeting to a daytime meeting, but that did not have consensus during the Committee meeting. He said the Committee also looked at several different start times for meetings in other cities. He said the Committee consensus was to move the regular Council meetings from 6:30 p.m. to 5:30 p.m. and move study sessions and conferences to 4:00 p.m. or 4:30 p.m. depending on the length of the subject.

Councilmember Castleberry suggested a six month trial period to see if adjusting the meeting times would help accommodate citizens who would like to participate.

Councilmember Allison said based on information reviewed at the Committee meeting, Norman has the most committee meetings and study sessions compared to other cities in the metro and Big 12 communities.

Councilmember Wilson asked if the public could get the same supporting documents for agenda items that Council receives for the meetings. Ms. Brenda Hall, City Clerk, said the full packet is posted online for the public to retrieve, but at times the backup material may not be fully completed when the agenda gets posted. She said Staff is trying to do a better job of replacing those agendas with the full packets when the material is available, but there are times when that does not occur.

Councilmember Allison asked if it would be possible to televise Committee meetings and whether there had been further study on Facebook live streaming Council meetings. Ms. Hall said Staff has reviewed what would be needed for Facebook live streaming to be considered during this upcoming budget process. She said the [sic] initial estimate for the needed equipment is estimated at \$40,000 and the time limit for Facebook Live is four hours; many Council meetings go longer than that. She said Staff will continue to explore other options.

Councilmember Bierman asked who Staff had contacted regarding Facebook Live because Lawton has been doing it since 2016 and has been very successful so much so Lawton has suspended plans to do the website streaming. She said the website link is very difficult to maneuver and there are issues such as the link text is too small and the volume is not loud enough to hear. Councilmember Castleberry said every meeting should be available and Council is working towards that goal.

Councilmember Bierman said it also solves the back log of meeting minutes, which are often not posted for weeks.

Councilmember Holman said he likes the idea of starting meetings at 5:30 p.m. He said even though public forum comments are not required, he feels that one of the best things about Norman government is that citizens do have the ability to address their elected officials. He said if there is concern with moving the public comments to the beginning of meetings, a compromise could be to do the consent docket first then do miscellaneous comments and the non-consent items could be done last since it takes up most of the meeting time anyway. Councilmember Castleberry felt the public forum is an opportunity for citizens to address Council on issues, not to comment on the agenda items. He said there could be a public forum at the end of the meeting to address agenda items. Councilmember Holman said he would be okay with that idea.

Councilmember Wilson said she likes the idea of starting the meetings at 5:30 p.m., because she does not like daytime meetings. She said she also likes the idea of putting the miscellaneous comments at the beginning of the meeting. She suggested a display on the screen that provides citizens information about how the miscellaneous comments will be handled.

Councilmember Clark said she likes the idea of alternating one meeting a month to daytime. She said citizens have mentioned that CART stops service at 8:00 p.m. and some people rely on public transportation to get to the meetings, which keeps them from attending meetings after 8:00 p.m. Mayor Pro Tem Castleberry supported alternating on a trial basis to see if more people will participate that cannot participate now.

Councilmember Bierman felt daytime meetings would exclude more than include. Some members of Council expressed concern with making changes prior to Councilmember-Elect Joe Carter's input since he ran for office under different guidelines.

Councilmember Karjala said Ward Two is not supportive of the daytime meetings. She asked if Council has collected data on attendance for Finance and Oversight meetings that have taken place during the day. Mayor Pro Tem Castleberry asked if it would make a difference if public was watching the meeting live or through a recording. He said at the last Finance meeting, the public did not attend and the other two meetings four or five people attended.

Councilmember Bierman felt if Council is going to have these meetings, data should have been collected of past attendance for daytime meetings to provide evidence that changing to daytime hours makes good sense. Ms. Hall said staff does not typically keep records of audience attendees but could begin to track that going forward.

Councilmember Wilson said parts of Ward Five have limited technology and she is also concerned about the disengaged population that do not have Channel 20.

PUBLIC COMMENTS

Ms. Ann Gallagher, Ward Six, 2513 Woodsong Drive, said making meetings convenient for Council and not the public is the wrong direction. It will make it more difficult for those who work until 5:00 p.m. or work out of town to attend meetings.

PUBLIC COMMENTS, continued

Mr. Stephen Ellis, 633 Reed Avenue, said in 2018 over 30% of meeting agendas do not have supporting documentation on the website. He said changing the meeting times will change the audience at the meetings.

Mr. Scott Martin, Ward Five, Chamber of Commerce President, was supportive of a daytime meeting. He said it can be challenging when you work a full day and then attend meetings until late in the evening. He said he has had many people at work, church and at the ball fields who tell him they cannot attend night time meetings due to conflict and primarily, those conflicts are family related not business related. He said they would like to have another option. He encouraged Council to consider one day time meeting a month on a trial basis and see what results you get.

Ms. Cindy Rogers, 633 Reed Avenue, said engagement is about people caring about and being interested in the issues and people can make arrangements to attend if they wish to attend a meeting.

Mayor Pro Tem Castleberry said he did a quick review of miscellaneous discussion participants over the past three years and there are less than 10 people who participate in miscellaneous discussion that have spoken more than once in that time period.

Councilmember Holman asked what the average meeting time is over the past five years.

Items submitted for the record

1. Memorandum dated February 15, 2018, from Kathryn Walker, Assistant City Attorney, to Mayor and City Councilmembers
2. Draft ordinance
3. City Council Oversight Committee minutes of December 21, 2017

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The meeting was adjourned at 6:13 p.m.

ATTEST:

City Clerk

Mayor